

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

DOCKET NO.: 3:21-cv-481

UNITED STATES OF AMERICA

v.

APPROXIMATELY \$8,048 IN UNITED  
STATES CURRENCY SEIZED ON MAY 6,  
2021 FROM JOSEPH GERELL BANKS

**DEFAULT JUDGMENT**

THIS MATTER is before the Court on the United States of America's Motion for Default Judgment in this case. For good cause shown, the Court will GRANT the Motion and enter this Default Judgment. The Court FINDS AS FOLLOWS:

**BACKGROUND**

On September 13, 2021, the United States filed a Complaint (Doc. 1) against the defendant \$8,048 in United States Currency captioned above ("the Currency"). The Complaint alleged that the Currency constituted money furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of 21 U.S.C § § 841 and/or 846, and was therefore subject to forfeiture.

From September 14, 2021 through October 13, 2021, pursuant to Federal Rules of Civil Procedure, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Rule G(4)(a), the Government provided Notice by Publication (Doc. 5) of this action. Further, the Government mailed direct notice (Doc. 4) of the Complaint to the following individuals:

- Maleka Richardson
- Joseph Banks.

Notice of the forfeiture of the Currency has been properly published and directly provided, there

are no claims as to the Currency, and the time for filing claims has expired.

### **LEGAL CONCLUSIONS**

Fed. R. Civ. P. 55 (b)(2) provides for entry of the requested Default Judgment by the Court. Here, the United States has provided notice of forfeiture in accordance with the Federal Rules of Civil Procedure, Supplement Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Rule G. Further, no individuals or entities have filed claims and the time-period for filing claims has expired. Finally, the Clerk has issued an Entry of Default. Therefore, the requested Default Judgment is appropriate.


BASED ON THE FOREGOING FINDINGS, THE COURT CONCLUDES that the Government is entitled to a Judgment of by Default against the Defendant Property.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The Government's Motion for Default Judgment is hereby GRANTED.
2. Any and all right, title, and interest of all persons in the world in or to the following Defendant Property is hereby forfeited to the United States, and no other right, title, or interest shall exist therein:

**Approximately \$8,048 in United States Currency seized on May 6, 2021 from Joseph Gerell Banks.**

Signed: November 23, 2021

  
Frank D. Whitney  
United States District Judge

